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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 37838-0014

In re patent application of

Gerhard GRÖLIG et al.

Serial No. 09/963,513

Filed: September 27, 2001

For: CONCERTINA-SHAPED CASING SUITABLE FOR EDIBLE
MATERIALS

Group Art Unit: 1761

Examiner: Unassigned

Confirmation No: 1227

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

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AUG 21 2002
TC 1700

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. §1.56 and §1.97. A copy of each of the listed documents is being submitted to comply with the provisions of 37 C.F.R. §1.97-1.99.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action that would be appropriate to antedate or otherwise remove as a competent reference any document that is determined to be a *prima facie* prior art reference against the claims of the present application.

The undersigned hereby states in accordance with 37 C.F.R. §1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three 3) months prior to the filing of this Information Disclosure Statement.

Document B4 corresponds to German Patent No. 19625094, listed as Document B8.

Document B5 corresponds to European Patent No. 1125504, listed as Document B12.

The foregoing documents came to the Applicants' attention during a search of the corresponding German application. A copy of the German search report setting for the portion of each reference considered relevant by the examiner is attached.

An English translation of German Patent Number 1198988 (Document B11) is not readily available; however, the absence of such translation does not relieve the PTO from its duty to consider the submitted documents (37 CFR §1.98 and MPEP §609). English abstracts are attached to Documents B9 and B10.

The instant Information Disclosure Statement is being filed in compliance with 37 CFR §1.97(b) prior to the mailing date of the first official action, therefore, no fee is required in connection with its filing. However, the Commissioner is hereby authorized to charge any deficiency or to credit any overpayment to Deposit Account No. 08-1641.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. §609.

Respectfully submitted,

Date: 8/16/02

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